

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)**

In Re:	:	
	:	
Traci Michelle Green	:	: Chapter 13
Debtor,	:	: Case No. 19-13014-JKF
	:	
Gateway Mortgage Group, a division of Gateway First Bank	:	
	:	
Movant,	:	
v.	:	Hearing: May 12, 2020 at 9:30 a.m.
	:	Courtroom # 3
Traci Michelle Green	:	
Debtor,	:	
and	:	
	:	
Scott F. Waterman, Esquire	:	11 U.S.C. §362(d) and §1301
Trustee,	:	
	:	
Respondents.	:	
	:	

**STIPULATION RESOLVING MOTION FOR RELIEF
FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY**

THIS matter being opened to the Court by Brian E. Caine, Esquire, of the law office of Parker McCay P.A., attorney for the secured creditor, Gateway Mortgage Group, a division of Gateway First Bank, (hereinafter “Movant”), upon a Motion for Relief from the Automatic Stay and Co-Debtor Stay as to Real Property, more commonly known as 7973 Temple Road, Philadelphia, PA 19150; and Michael D. Sayles, Esquire appearing on behalf of Debtor, Traci Michelle Green, and it appearing that the parties have amicably resolved their differences and for good cause shown;

1. As of May 4, 2020, the post-petition arrears are \$6,371.20 – which represents payments of \$1,300.10 each, due January 1, 2020 through May 1, 2020 with a suspense balance of \$129.30.
2. The Debtor agrees to reimburse the Movant for its attorney fees (\$850.00) and costs (\$181.00) for prosecution of the within Motion.

3. The Debtor shall cure the post-petition arrears (6,371.20), plus the motion fees and costs (\$850.00 plus \$181.00) by filing an amended chapter 13 plan which provides for a cure of said funds to Movant in the amount of \$7,402.20 through the plan.
4. The Debtor shall file said amended plan as per paragraph 3 above by May 18, 2020, and if the Debtor fails to timely file said amended plan or confirmation of said amended plan is denied, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the mortgaged property herein.
5. The Debtors will resume regular monthly payments to Movant starting with the June 1, 2020 payment, and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtor shall remit payments directly to Movant as same come due.
6. The Debtor will stay current with plan payments to the Trustee.
7. If the Debtor fails to stay current with direct mortgage payments to the Movant (as they become due), or fail to stay current with plan payments (30 day default on plan payments), then counsel for the Movant may send Debtors and Debtors' attorney a notice of default, and the Debtors shall have 14 days to cure said default. If the default is not cured timely cured, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the mortgaged property herein.
8. Movant shall amend the claim by May 18, 2020 to incorporate the post-petition arrears of \$6,371.20, plus the motion fees and costs (\$850.00 plus \$181.00), which are going to be provided for in the plan.

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The undersigned hereby consent to the form and entry of the within Stipulation.

/s/Brian E. Caine

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/s/Polly A. Langdon

Concurrence by the Chapter 13 Trustee

It is hereby **ORDERED**, that the foregoing Stipulation is approved, shall be, and is made and Order of this Court.

Date: May 14, 2020



JEAN K. FITZSIMON
U.S. BANKRUPTCY JUDGE